

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Vincent John Hall,)	C/A No. 6:07-01040-RBH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Sgt. Betty Ladson; and)	
Capt. Johnny Sapp,)	
)	
Defendants.)	
_____)	

The Plaintiff, pro se, instituted this civil rights action on April 18, 2007. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 D.S.C., this matter was referred to United States Magistrate Judge William M. Catoe, for pretrial handling. On May 9, 2007, the Magistrate Judge signed a Report and Recommendation in which he recommended summary dismissal on the basis that the plaintiff's Complaint did not request any relief. The Order contained a Notice as to the plaintiff's statutory right to file objections to the report.

The plaintiff filed objections on May 21, 2007. He states that the name of the defendant Betty **Gadson** should be corrected to Betty **Ladson**. He also states that he is seeking punitive damages; references "\$10,000 for pain and suffering"; and states that he did not request any relief due to his error.

Since the plaintiff is proceeding pro se, the Court will construe the objections as containing a motion to amend the complaint to allege the relief sought. Punitive and compensatory damages may be recoverable in Section 1983 actions. *See Smith v. Wade*, 461 U.S. 30 (1983); *Memphis Cmty. Sch. Dist. v. Stachura*, 477 U.S. 299 (1986). Therefore, the Court grants the motion to amend.

The Court directs the Clerk to correct the last name of Defendant **Gadson** to **Ladson** on the

docket.

Therefore, the Court respectfully declines to adopt the Report and Recommendation and re-commits the matter to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

s/R. Bryan Harwell
R. Bryan Harwell
United States District Judge

May 23, 2007
Florence, SC